

Code of Ethics and Professional Conduct Policy

PURPOSE

The Monmouth County Code of Ethics and Professional Conduct provides employees with guidelines on business ethics, professional conduct and the County's perspective on various controversial matters. It is the responsibility of every Monmouth County employee to comply with the policy. Using good judgment and following high ethical standards will generally lead to appropriate professional conduct. However, if an employee is ever unsure whether an action or behavior is ethical or proper, that employee should discuss the matter with their Manager or Department Director. An employee may also contact the County Administrator's Office or Human Resources for direction.

SCOPE

This policy applies to everyone Monmouth County employs or has business relations with. This includes full and part-time employees, seasonal and temporary employees, paid and unpaid interns, volunteers, as well as business entities, such as vendors and consultants.

The policy follows guidelines set forth in the following reference documents:

- * New Jersey Conscientious Employee Protection Act (CEPA)
- * Local Government Ethics Law, P.L. 1991, c. 29, N.J.S.A. 40A:9-22.1, et seq.
- * Resolution 05-309, Prohibiting Certain Employees from Holding Elective Municipal Office, adopted in 2005
- * Resolution 08-397, Pay-to-Play, adopted in 2008
- * Resolution 10-3, Monmouth County Code of Ethics, adopted in 2010
- * Monmouth County Employee Guide to Policies

POLICY

Ethical Standards:

- No employee or member of his or her immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity, which is in substantial conflict with the proper discharge of his or her duties in the public interest.
- No employee shall act in his or her official capacity in any matter where he, a member of his or her immediate family, or any business organization in which he or she has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his or her objectivity or independence or judgment.
- No employee shall use or attempt to use his or her official position to secure unwarranted privileges or advantages for himself or others.
- No employee shall undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his or her independence of judgment in the exercise of his or her official duties.

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- No employee, member of his or her immediate family, or any business organization in which he or she has an interest, shall solicit or accept any gift or gratuity, favor, political contribution, service, promise of future employment, or other items.
- No employee shall use, or allow to be used, his or her public office or employment, or any information, not generally available to the members of the public, which he or she received or acquires in the course of and by reason of his or her office or employment, for the purpose of securing financial gain for himself, any member of his or her immediate family, or any business organization with which he or she is associated.
- No employee, or any business organization in which he or she has an interest, shall represent any person or party other than the County in connection with any cause, proceeding, application or other matter pending before any agency in the County of Monmouth in which the officer or employee serves.
- No employee shall engage in any unauthorized disclosure of confidential County information.
- Nothing shall prohibit any employee of Monmouth County, or members of his or her immediate family, from representing himself, herself or themselves, in negotiation or proceedings concerning his, her, or their own interests.
- No employee, member of his or her immediate family, or any business organization in which he or she has an interest, shall knowingly undertake or execute, in whole or in part, any contract, agreement, sale or purchase made, entered into, awarded or granted by the County or agency thereof, unless such contract, agreement, purchase or sale was made after public notice and competitive bidding, provided, however that the provisions of this section shall not apply to purchases, contracts, or agreements which by law are not required to be made, negotiated or awarded with public advertising or bids of such purchases, contracts, or agreements shall have received a prior advisory opinion from County Counsel.
- No employee, members of his or her immediate family or business organization in which he or she has an interest, shall request, use or permit the use of any public property, vehicle, equipment, labor or service for personal convenience or the private advantage of himself or any other person.
- No employee shall accept payment from a non-County source in return for doing a County job or communicating with another public agency on behalf of the County.
- No employee may cause, try to cause, or help another public servant to violate these rules or any County policy or standard.
- No employee shall abuse, neglect, waste or misappropriate County property. All employees are responsible for the proper care of any tools, equipment, materials, vehicles or records assigned for the performance of their jobs. No tools, equipment or materials may be taken

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from the worksite for any purpose unless specifically authorized by the employee's supervisor. No tools, equipment, materials on vehicles shall be used for any purpose other than authorized work-related activities.

- Employees must provide service to the County at all times while in a paid status. All employees shall give undivided attention to the duties of their jobs during working hours.
- For purposes of this policy, immediate family is defined as spouse or dependent child(ren). Business organization is defined as any corporation, partnership, firm, enterprise, franchise, association, trust, sole proprietorship, union or other legal entity.

Political Activity:

Monmouth County is committed to ensuring that County residents have confidence in the integrity of County government, and that County government employees will act solely in the best interests of all County residents, free from any undue political influence or bias.

- No employee shall engage in political activity during paid working hours, or use County offices, supplies, telephones or other resources for other than County business.
 - Employees engaging in any political activity must do so while not in a paid status, not using County resources and not on County property.
 - Employees that are entitled to an unpaid meal break during the course of their workday may participate in political activities but must adhere to the following parameters:
 - * Employees must punch out for their meal break;
 - * Political activities may not occur in County offices or on County properties, parks, parking lots, leased or owned;
 - * Employees may not have on their person any visible County identification and/or identifiers that may associate them with the County while participating in political activities;
 - * Employees must punch in at the conclusion of their meal break.
 - Employees exceeding their authorized time for a meal break and participating in political activities will be considered to have violated this policy.
 - Employees may use approved benefit leave time (i.e. vacation, personal) for political activity provided they adhere to the aforementioned parameters.
 - Full-time employees granted rest periods may not participate in political activities as rest periods are paid and contrary to this policy.
- No employees may knowingly solicit, accept or receive a political contribution from any person who has, or is seeking to obtain, contractual or other business or financial relations with the County.
- No employee shall solicit or permit the solicitation, acceptance or receipt of political contributions of any kind while in or on any County owned or leased building or property which is dedicated for the conduct of public business.

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- No employee shall directly or indirectly use his or her position to control or affect the political action of another person.
- No employee shall be required as a duty of employment or as a condition of promotion to participate in or contribute funds for political or partisan purposes.
- No employee shall coerce or compel support or contributions for political or partisan purposes by any employee of the County.
- To the extent not prohibited above, nothing in this section is intended to preclude County employees from participating in the political process, including fundraising, on their own time and off County property.
- In accordance with Federal regulations, an employee who performs duties in connection with programs that are financed by federal loans or grants made by the United States or a federal agency is subject to the Hatch Act. The Hatch Act prohibits employees subject to its provisions from, among other things:
 - (1) Using their official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office;
 - (2) Directly or indirectly coercing, attempting to coerce, commanding, or advising a state or local employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes; and
 - (3) Running as a candidate for public office in a partisan election.

Professional Conduct:

Monmouth County expects all employees to conduct themselves in ways that protect the interests and safety of the County, employees, business associates and members of the public. Using good judgment and following high ethical standards should lead to appropriate professional conduct. The following serves as a guide to professional conduct for all employees.

- **Honesty and Integrity** – Monmouth County is dependent on the trust and confidence earned from employees, business associates and members of the public. The County gains credibility by adhering to commitments, displaying honesty and integrity and reaching goals through honorable conduct.
- **Accountability** – Every Monmouth County employee is responsible for knowing and adhering to the standards set forth in this Code and all County policies, and for raising questions if uncertain about any County policy.
- **Respect for People** – All employees deserve to work in an environment free from discrimination or harassment, where they are treated with dignity and respect. Monmouth County is committed to fostering such an environment because it brings out the full potential in each employee which, in turn, contributes directly to the County's success.
- **Respect for Property** – All Monmouth County employees should treat County property as well as the property of co-workers and other business associates, whether material or

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intangible, with respect and care. Employees should never misuse company equipment, and should protect company facilities and other material property (e.g. company cars) from damage and vandalism, whenever possible.

- Respect for the Public – Monmouth County is committed to providing quality services that are respectful, compassionate and responsive to the changing needs of the County’s residents and public at large. It is important that all employees demonstrate flexibility and are proactive when dealing with changing situations and environments, and look to create opportunities for open and effective communication and connection with our communities, residents and taxpayers.
- Conflicts of Interest – It is imperative for all Monmouth County employees to avoid any relationship or activity that might impair, or even appear to impair, their ability to make objective and fair decisions when performing their job duties.
- Uphold the Law – Monmouth County’s commitment to integrity begins with each employee complying with laws, rules and regulations where the County does business. Therefore, every employee must have an understanding of County policies, laws, rules and regulations that apply to their specific roles. If an employee is unsure of whether a contemplated action is permitted by law or County policy, they should seek advice from management. Every employee is responsible for preventing violations of law and for speaking up if they see possible violations.

COMPLIANCE

The County Administrator is responsible for ensuring the Code of Ethics and Professional Conduct are communicated to, understood and observed by all employees. Day-to-day responsibility is delegated to all Department Directors who are responsible for implementing these principles. Acknowledgement of this policy will be required annually to ensure that every employee has read and understands the Code of Ethics and Professional Conduct.

Any employee who has reason to believe that an employee, business relation or Official has violated or intends to violate any law, regulation or provision of this policy is required to report their concerns to their Department Director, Human Resources or the County Administrator as soon as possible. Every effort will be taken to ensure confidentiality. Failure to disclose a violation of this policy is in itself a violation. Employees who ignore or do not comply with this Code of Ethics and Professional Conduct may be subject to disciplinary action, up to and including termination of employment.